

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

TIMOTHY BARTON,
CARNEGIE DEVELOPMENT, LLC,
WALL007, LLC,
WALL009, LLC,
WALL010, LLC,
WALL011, LLC,
WALL012, LLC,
WALL016, LLC,
WALL017, LLC,
WALL018, LLC,
WALL019, LLC,
HAOQIANG FU (a/k/a MICHAEL FU),
STEPHEN T. WALL,

Defendants,

DJD LAND PARTNERS, LLC, and
LDG001, LLC,

Relief Defendants.

Civil Action No. 3:22-cv-2118-x

**MCCORMICK 101 LLC'S REQUEST FOR EXPEDITED BRIEFING ON MOTION FOR
(1) IMMEDIATE THIRD-PARTY INSPECTION OF AMERIGOLD SUITES
REGARDING TENANT LIFE SAFETY ISSUES AND (2) OTHER RELATED RELIEF**

McCormick 101 LLC (“**Lender**”) respectfully requests an expedited briefing schedule on its accompanying Motion for (1) an Immediate Third-Party Inspection of Amerigold Suites Regarding Tenant Life Safety Issues and (2) Other Related Relief (the “**Subject Motion**”). Specifically, Lender seeks to shorten the time for any responsive briefing to fourteen (14) days

from the filing date of the Subject Motion and to shorten the time for any reply briefing to three (3) days from the filing date of said responsive briefing.

As detailed in Lender's Subject Motion and Memorandum of Law, and the Declaration of Jeremy Halverson submitted in support thereof, Lender seeks relief from this Court to promptly address the exigent life safety issues posed to tenants at the Amerigold Property (the "**Property**") in question. This Property is plagued by significant life safety issues and dangerous conditions, including, but not limited to, a large retaining wall on the verge of collapse, exposed electrical wires and broken light fixtures at multiple locations, and numerous other issues that pose direct risks to tenants and visitors to the Property. Mr. Halverson's Declaration provides substantive detail and photographs evidencing these life safety issues.

Tenant and visitor safety is paramount here, and the longer these life safety issues go unaddressed while waiting for the completion of briefing on the Subject Motion the greater the risk someone is injured by one of these dangerous conditions at the Property. As the Court knows, the standard briefing schedule imposed by the Local Rules provides twenty-one (21) days to file a response brief and another fourteen (14) days to file a reply brief. L.R. 7.1(e) and (f). That is too long under the circumstances. Lender respectfully seeks to expedite that timeline (including dropping its own reply timing to just three days). Lender does not make this motion to prejudice any of the other parties or otherwise adversely affect the rest of the receivership proceedings.

For these reasons, Lender seeks to shorten the time for any responsive briefing to fourteen (14) days from the filing date of the Subject Motion and to shorten the time for any reply briefing to three (3) days from the filing date of said responsive briefing.

Date: March 6, 2025

Respectfully submitted,

DENTONS US LLP

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Attorneys for McCormick 101 LLC

CERTIFICATE OF CONFERENCE

I certify that, on March 6, 2025, I conferred with counsel for the Receiver. Counsel for the Receiver indicated that this Motion is opposed.

/s/ Jill Nicholson
Jill Nicholson

CERTIFICATE OF SERVICE

I certify that, on March 6, 2025, true and correct copies of the foregoing and accompanying documents were served electronically on all parties registered to receive notice of filings in this case through the Court's CM/ECF PACER system.

/s/ Spencer D. Hamilton
Spencer D. Hamilton